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PTO/SB21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/997,877 ✓
Filing Date	November 29, 2001
First Named Inventor	William J. Earl
Group Art Unit	2121
Examiner Name	Not Yet Assigned
Attorney Docket Number	2500082-991190

Total Number of Pages in This Submission

### ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

Postcard;  
Seven (7) References Cited.

Remarks

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### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	DAVID L. ALBERTI (Reg. No. 43,465) Gray Cary Ware & Freidenrich 1755 Embarcadero Road, Palo Alto, CA 94303-3340
Signature	
Date	September 4, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, Washington, DC 20231, Box DD Pub on this date: September 4, 2002

Typed or printed name	Yvette Renée Killingham
Signature	
Date	September 4, 2002





PTO/SB/08B (08-00)

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Compl to If Known</b>			
		Applicati n Number	09/997,877		
		Filing Dat	November 29, 2001		
		First Named Inventor	William J. Earl		
		Group Art Unit	2121		
		Examiner Name	To Be Assigned		
Sheet	2	of	2	Attorney Docket Number	2500082-991190

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T

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Examiner Signature		Date Considered	
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YVETTE RENÉE KILLINGHAM

September 4, 2002  
Date

Signature



ATTORNEY DOCKET NO. 2500082-991190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
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APPLICANTS: William J. Earl

SERIAL NO.: 09/997,877

GROUP NC.: 2121

FILING DATE: November 29, 2001

TITLE: **FAULT TOLERANCE USING LOGICAL CHECKPOINTING IN  
COMPUTING SYSTEMS**

INFORMATION DISCLOSURE STATEMENT

RECEIVED

Assistant Commissioner for Patents  
Washington, D.C. 20231

SEP 12 2002

Technology Center 2100

Dear Sir/Madam:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the references are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being filed  
(CHECK ONE).

- ☒ (1) within three (3) months of the **Filing Date** or before the mailing date of a **First Office Action** on the merits; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and
  - ☐ the requisite Statement is below, **OR**
  - ☐ the requisite fee under Rule 1.17(p), namely **\$240.00**, is included herein, or
- ☐ (3) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issued Fee**, **AND**
  - ☐ Applicant hereby Petitions the Commissioner to accept and consider the attached Information Disclosure Statement, **AND**
  - ☐ the requisite Statement is below, **AND**

☐ the requisite petition fee due under Rule 1.17(i), namely \$130.00 is included herein.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application.

### STATEMENT

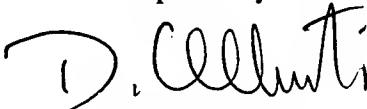
As required under §1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- ☐ 1. [E]ach item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application **not more than** three months prior to the filing date of the Information Disclosure Statement; or
- ☒ 2. [N]o item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any** individual designated in §1.56(c) **more than** three months prior to the filing of the Information Disclosure Statement.

### FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account No. **07-1896**. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



Date: September 4, 2002

David Alberti  
Reg. No. 43,465  
Attorney for Assignee

### GRAY CARY WARE & FREIDENRICH

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